

# California Native Plant Society

PO Box 377 • Coloma • California • 95613

March 26, 2009

Pamela C. Creedon, Executive Officer  
California Regional Water Quality Control Board  
Central Valley Region  
11020 Sun Center Drive #200,  
Rancho Cordova, California 95670-6114

Re: Draft Cleanup and Abatement Order, Rubicon Trail, El Dorado County

Dear Ms. Creedon:

On behalf of the El Dorado chapter of the California Native Plant Society, I commend your decision to issue the Draft Cleanup and Abatement Order for the Rubicon Jeep Trail. The Water Board staff has tackled a serious problem, and proposed reasonable and achievable solutions. I am pleased to see that the conclusions reached in the Draft Order are based on carefully gathered and analyzed scientific data, not on emotion or political bias.

The current unregulated use of the Rubicon Trail is decimating the surrounding National Forest lands. This "unmaintained county road" is only theoretically 50 feet wide. In actual fact, OHVs are, with increasing frequency, leaving the Trail proper to blaze their own trails, sometimes a long way from the official route. They are denuding an ever-increasing area of native plants. More and more shrubs are being destroyed, run over repeatedly until dead. Native trees are being killed by root impaction, hydrologic changes, and by wounds from accidental jeep impacts, which create an "open door" for the entrance of insects and other pests. Riparian plants are faring no better. Unmanaged OHV stream crossings, combined with chronically increased sediment loads, are causing erosion, channel widening, and loss of stream bank integrity, all of which are harmful to riparian grasses, forbs, shrubs and trees. Important habitats being damaged include streams, meadows, riparian areas, and springs that contain unique flora.

Bad as the erosion-related impacts of an unregulated Rubicon are, in the long run the chemical pollution occurring in this fragile mountain environment may prove to be worse. Motor oil, toxic hydraulic fluids, and poisonous antifreeze are continually spilled all over the Rubicon Trail. The effects of these chemical contaminants on native plants are not well known, but we do know that they are really harmful to wildlife and to people. Conservation measures in the form of pads to soak up the fluids have been ineffective in minimizing the pollution, perhaps because they are not often used. Spider

Lake has suffered from high fecal coliform levels, and another small lake near the Trail has shown disturbingly high cadmium levels. In the future, more thorough testing will likely show more problems of this nature. CNPS is deeply concerned about the possibly irreversible damage to stream habitats, water quality, fish, amphibians and macroinvertebrates that is currently occurring on and around the Rubicon Trail. The chemical and biological contamination, as well as the physical destruction, must be reduced to acceptable levels.

El Dorado County officials have shown no desire to address the problems of Rubicon Trail-associated pollution; indeed, they have fought hard to maintain the status quo, even refusing to adopt the already completed Rubicon Trail Master Plan, ostensibly because of budget problems.

CNPS supports the timeline for action in the Draft Abatement Order. El Dorado County should not be allowed to continue stalling while Rubicon Trail problems keep escalating. We strongly urge that El Dorado County be required to quickly adopt the Rubicon Trail Master Plan, implement a permit and fee program for Trail usage, and institute winter closures as necessary to protect the resource. The Water Board staff has done an excellent job of identifying and quantifying problems associated with the current Rubicon Trail (non)management. Please, do not let all that work be wasted by watering down or weakening the abatement order. Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Britting".

Susan Britting  
Conservation Chair

Cc:

Linda S. Adams, Secretary for Environmental Protection  
Drew Coe (dbrcoe@waterboards.ca.gov), Central Valley RWQCB  
Marty Hartzell (mhartzell@waterboards.ca), Central Valley RWQCB  
Ron Briggs (bosfour@co.el-dorado.ca.us), Supervisor, El Dorado County